

**Minutes**  
**State Board of Education Meeting**  
**Thursday, January 10, 2019**

The Arkansas State Board of Education (State Board) met Thursday, January 10, 2019, in the Arkansas Department of Education (Department) Auditorium. Chair Dr. Jay Barth called the meeting to order at 10:03 a.m.

Present: Dr. Jay Barth, Chair; Charisse Dean, Vice-Chair; Diane Zook; Ouida Newton; Brett Williamson; Susan Chambers; Dr. Fitz Hill; Dr. Sarah Moore; Kathy McFetridge; Randi House, 2018 Arkansas Teacher of the Year; and Johnny Key, Commissioner.

Absent: None

**Consent Agenda**

Dr. Barth noted that item 5, Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 18-149 Connie Hicks, was pulled from the agenda prior to the start of the meeting.

Ms. Newton had a question on item 13, the Vilonia School District Act 1240 Annual Progress Report; however, there were no representatives for the school district available. Ms. Newton said that her question was only out of curiosity and would not affect her ability to move forward with a vote.

Ms. Chambers moved, seconded by Mr. Williamson, to approve the consent agenda minus item 5. The motion passed unanimously.

Items included in the consent agenda:

- Minutes
- Newly Employed, Promotions and Separations
- Consideration of Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. § 6- 17-309
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 18-129 Kelbie Reeves
- *Item pulled from agenda - Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 18-149 Connie Hicks*
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case # 19-002 Kaitlyn Brodell
- Charleston School District Act 1240 Annual Progress Report
- Clarksville School District Act 1240 Annual Progress Report
- County Line School District Act 1240 Annual Progress Report
- Fort Smith School District Act 1240 Annual Progress Report
- Hackett School District Act 1240 Annual Progress Report
- Lamar School District Act 1240 Annual Progress Report

- Vilonia School District Act 1240 Annual Progress Report

## **Action Agenda A**

### **A-1 Review of Bond Application - Pulaski County Special School District**

Agency Controller Ms. Anita Sacrey said the members of the Arkansas State Board of Education are requested to review the Commercial Bond Applications – 1 Second Lien with the recommendation to approve the Second Lien from the Loan Committee and additional information provided by the school district in its application package. Pursuant to Arkansas Code Annotated § 6-20-1205 concerning school district bonds, a school district shall not sell bonds until the issue is approved by the State Board of Education or the Commissioner. Also, pursuant to Rules Governing Loan and Bond Applications 5.02, the Loans and Bonds Committee, in its discretion and after considering the merits of each application, may recommend approval of a school district bond application for the full amount of the proposed bond issue, recommend disapproval of the application, or table the application pending receipt of additional information, further study by the Department staff or Division staff, or verification of information regarding the application.

Ms. Sacrey said that this item came before the Loans and Bonds Committee in November; however, they tabled the item due to concerns of the Pulaski Country Special School District using the fund balance during the school year. She said that the school district presented a five year budget projection to the Loans and Bonds Committee in December and the committee was satisfied with that plan.

Ms. Zook asked if millage funds that the school district has could be used outside of building the new school. PCSSD Superintendent Dr. Charles McNulty said it could not and that the millage funds are tied to the Sylvan Hills construction.

Ms. Zook moved, seconded by Dr. Hill, to approve the issuance of Second Lien bonds for the Pulaski County Special School District based on the Department's recommendations. The motion passed unanimously.

### **A-2 Petition for Minimum School District Size Waivers -- Ark. Code Ann. § 6-13-1613**

General Counsel Ms. Lori Freno said that two school districts were requesting waivers of minimum school district size. She said Ark. Code Ann. § 6-13-1603 requires the District to be consolidated with or annexed to another school district unless the State Board grants the District's petition for a minimum school district size waiver pursuant to Ark. Code Ann. § 6-13-1613. The State Board shall grant the petition for waiver if the several factors set forth in § 6-13-1613 are met.

#### **a. Consideration of Petition for Minimum School District Size Waiver -- Strong-Huttig School District**

Ms. Freno said the Strong-Huttig School District had fewer than 350 students in the two years immediately preceding the current school year. She said that the school district is not classified in Level 5 Intensive Support. The school district is not in fiscal



nor facilities distress. The school district is not on probationary status for violating the Standards for Accreditation. She said that the facilities are adequate as evidenced by the school district's master plan. The local Board of Directors passed a resolution in support of seeking a waiver for minimum school district size.

Ms. Chambers inquired about the length of the waiver. Ms. Freno answered that the waiver is for one year and there is no cap on the number of times that a school district can request this waiver. She said that this is the third year for the Strong-Huttig School District to seek this particular waiver.

Dr. Barth asked when the most recent review was regarding Standards for Accreditation for this district. Mr. Key said that the latest on-site review was in December 2018. Director of Monitoring Ms. Tracy Webb said that there were items which the school district needed to update in order to maintain accreditation which were (1) offer civics and economics courses for their students in the spring semester; (2) all seniors need to pass the Arkansas Civics Exam; (3) Student Success Plans required completion; (4) their Student Services Plan required updating; (5) inventory tags needed to be permanent and placed on federal equipment purchases; (6) a needs assessment which guides their federal funding needs to be in writing each year; (7) an incorrect form was being used to report those being paid out to different funds; and (8) a couple of salaries were incorrectly calculated.

Ms. Newton moved, seconded by Ms. Dean, to approve the waiver of minimum school district size for the Strong-Huttig School District. Seven members voted in favor of the motion, Ms. Zook abstained. The motion passed.

**b. Consideration of Petition for Minimum School District Size Waiver -- Lead Hill School District**

Ms. Freno said the Lead Hill School District had fewer than 350 students in the two years immediately preceding the current school year. She said that the school district is not classified in Level 5 Intensive Support. The school district is not in fiscal nor facilities distress. The school district is not on probationary status for violating the Standards for Accreditation. She said that the facilities are adequate as evidenced by the school district's master plan. The local Board of Directors passed a resolution in support of seeking a waiver for minimum school district size.

Director of Monitoring Ms. Tracy Webb said that there were items which the school district needed to update in order to maintain accreditation which were (1) a parent involvement facilitator was being paid from Title I funds instead of operating funds; (2) an incorrect form was being used to report those being paid out to different funds; (3) a transfer is needed of Title IV to Title I funds; (4) several items needed to be posted to the website; and (5) previously paid parent involvement stipends from federal.

Assistant Commissioner for Public School Accountability Ms. Deborah Coffman said that school districts across the state are working through the new Standards for

Accreditation online tool. She said that the system is thorough and is causing them to really look at their business rules carefully.

Ms. McFetridge moved, seconded by Ms. Chambers, to approve the waiver of minimum school district size for the Lead Hill School District. The motion passed unanimously.

### **A-3 State Board Review of PLSB Ethics Subcommittee Recommendation – PLSB Case No. 18-108 – David Wilson**

General Counsel Ms. Lori Freno said Mr. David Wilson holds a teaching license issued by the State Board. She said the Rules Governing the Code of Ethics for Arkansas Educators provides that the State Board may remove a PLSB recommendation from a consent agenda for further review. The educator has elected to appear at the review hearing.

Ms. Freno said that Mr. Wilson's case was on the November State Board consent agenda; however, they vote to hold a review of the case. She said that Mr. Wilson and PLSB Attorney Ms. Simoné Blagg were present. Ms. Freno provided information regarding review procedures and said that the State Board would be making decisions on three items (1) determine if the State Board agrees with the Ethics Subcommittee on the facts of the case; (2) determine, if in agreement with the facts, violated standards; (3) determine, if there was a standards violation, if the State Board agrees with the sanction for revocation of Mr. Wilson's teaching license. Ms. Freno said that the Board may also make the decision for a lesser sanction, if desired by the State Board.

Educator Mr. David Wilson provided testimony on his own behalf and read letters from students and a parent.

PLSB Attorney Ms. Simoné Blagg reviewed the facts of the PLSB case and Standards 1 and 2.

Ms. Zook moved, seconded by Ms. Newton, to accept the finding the facts as presented. The motion passed unanimously.

Ms. Newton moved, seconded by Mr. Williamson, to find Mr. David Wilson in violation of Standard 1 and Standard 2. There was a brief discussion period. The motion passed unanimously.

Ms. Zook moved, seconded by Ms. Newton, that Mr. David Wilson be placed on probation for a period of two year, be fined \$200, and complete additional training in the form of a book study/reflection piece on *QBQ! The Question Behind the Question: Practicing Personal Accountability in Work and in Life* by John G. Miller. Ms. Zook altered her motion to include that Mr. Wilson not drive a school bus during his probation period and Ms. Newton agreed to the change. There was a brief discussion period on the rationale for the change from revocation to probation. The final vote was 7-1. Mr. Williamson voted no. The motion passed.

There was some discussion detailing the process of requesting a waiver so that Mr. Wilson can renew his teaching license, if he ended up needing said waiver.



#### **A-4 Consideration of Waiver Request for Teaching License – Licensure Action Case No. 18-019 – John Pennington**

Attorney Mr. Taylor Dugan said that Mr. John Pennington is a licensed educator who was convicted of a disqualifying offense. He said on July 20, 2018, the Department notified Mr. Pennington that he is disqualified from holding a teaching license under Ark. Code Ann. § 6-17-410 and entitled to a hearing. Mr. Pennington requested a waiver of the disqualification from the State Board on October 23, 2018. The Department recommends and respectfully requests that the State Board not grant Mr. Pennington's request for a waiver. Mr. Dugan review the procedure for this case as well as the case history.

Educator Mr. John Pennington spoke on his own behalf. Attorney Mr. Taylor Dugan passed out a packet of information for the State Board and reviewed the information within. Mr. Pennington spoke again following Mr. Dugan's remarks. Mr. Dugan provided his closing statement.

Ms. McFetridge asked if the disqualifying offense happened on school grounds and Mr. Pennington said it did not nor did it happen during the school period.

Ms. Newton asked if Mr. Pennington completed his rehabilitation and he was still getting support. Mr. Pennington replied that he had completed his rehabilitation and was still getting support.

Dr. Hill asked if a teaching license is required for what he currently does. Mr. Pennington said that it is required and he currently has a waiver for the current year.

Mr. Dugan clarified that the State Board has the authority to either grant or deny the waiver for disqualifying offense, but the State Board can put sanctions on the waiver.

Ms. Chambers asked if it would be possible to tailor the waiver to a specific education environment. Mr. Dugan said that is a possibility and they would recommend adding a timeline for that, if that were the action the State Board chose to take.

Mr. Williamson moved, seconded by Ms. Zook, to grant the waiver for Mr. Pennington. There was a brief discussion period. There was a roll call vote. Ms. Chambers voted no. The final vote was 7-1. The motion passed.

#### **A-5 Consideration of the Objection, Brief and Motion for Extension for PLSB Case No. 18-011 – Jacob Conrad De La Paz**

PLSB Attorney Ms. Simoné Blagg said Mr. Jacob Conrad De La Paz holds a teaching license issued by the State Board. The Rules Governing the Code of Ethics for Arkansas Educators provides that an educator may object to the Ethics Hearing Subcommittee's written findings and recommendations. The educator's objection triggers a full review by the State Board. Mr. De La Paz is represented by attorney Joseph C. Giglio, Jr. An Objection, Brief and Motion for Extension was filed on behalf of Mr. De La Paz on November 2, 2018, prior to receiving the written findings and recommendations, and again on December 11, 2018, after receiving the written findings and recommendations. The State Board may grant or deny the Objection, Brief

and Motion for Extension. Ms. Blagg said Mr. De La Paz is requesting an extension of time to file further objections and a thorough brief regarding his case to extend to February 26, 2019.

Mr. Williamson moved, seconded by Ms. Dean to grant the extension for Mr. Jacob Conrad De La Paz. The motion passed unanimously.

**A-6 Consideration of Revocation of Teaching License – Licensure Action Case No. 18-017 – Joshua Cameron**

Attorney Mr. Taylor Dugan said Mr. Joshua Cameron is a licensed educator who has a true report on the Child Maltreatment Central Registry. On July 17, 2018, the Department notified Mr. Cameron that he is disqualified from holding a teaching license under Ark. Code Ann. § 6-17-410 and entitled to a hearing. Mr. Cameron did not request a waiver of the disqualification from the State Board. The Department recommends and respectfully requests that the State Board revoke Mr. Cameron's license. Mr. Dugan said Mr. Cameron was not present.

Ms. Zook moved, seconded by Ms. Chambers, to accept the Department's recommendation to revoke Mr. Joshua Cameron's teaching license. The motion passed unanimously.

**A-7 Consideration of Revocation of Teaching License – Licensure Action Case No. 18-021 – Mark Smith**

Attorney Mr. Taylor Dugan said Mr. Mark Smith is a licensed educator who pled guilty to a disqualifying offense. On September 26, 2018, the Department notified Mr. Smith that he is disqualified from holding a teaching license under Ark. Code Ann. § 6-17-410 and entitled to a hearing. Mr. Smith did not request a waiver of the disqualification from the State Board. The Department recommends and respectfully requests that the State Board revoke Mr. Smith's license. Mr. Dugan said Mr. Smith was not present.

Mr. Williamson moved, seconded by Ms. Chambers, to accept the Department's recommendation to revoke Mr. Mark Smith's teaching license. The motion passed unanimously.

**A-8 Consideration of Revocation of Teaching License – Licensure Action Case No. 18-026 – Kyle Smith**

Attorney Mr. Taylor Dugan said Mr. Kyle Smith is a licensed educator who pled guilty to a disqualifying offense. On September 28, 2018, the Department notified Mr. Smith that he is disqualified from holding a teaching license under Ark. Code Ann. § 6-17-410 and entitled to a hearing. Mr. Smith did not request a waiver of the disqualification from the State Board. The Department recommends and respectfully requests that the State Board revoke Mr. Smith's license.

Ms. Zook moved, seconded by Ms. Dean, to accept the Department's recommendation to revoke Mr. Kyle Smith's teaching license. The motion passed unanimously.

**A-9 Consideration of Charter Authorizing Panel Decisions-Summary Information**

Director of Public Charter Schools Mr. Reginald Ballard reviewed the procedures for this item.



**a. Consideration of Charter Authorizing Panel Decision on Open-Enrollment Charter School Renewal: Exalt Academy of Southwest Little Rock**

Director of Public Charter Schools Mr. Reginald Ballard said on December 18, 2018, representatives of Exalt Academy of Southwest Little Rock appeared before the Charter Authorizing Panel requesting a renewal of their charter. By a unanimous vote, the Panel approved the application request. No request for the State Board of Education to review the decision made by the Panel was submitted. The State Board may exercise a right of review and conduct a hearing on the Charter Authorizing Panel's determination at the State Board's next meeting.

Ms. Newton moved, seconded by Ms. Dean, to not review the decision. The motion passed unanimously.

**b. Consideration of Charter Authorizing Panel Decision on Open-Enrollment Charter School Renewal: Pine Bluff Lighthouse Academy**

Director of Public Charter Schools Mr. Reginald Ballard said on December 18, 2018, representatives of Pine Bluff Lighthouse Academy appeared before the Charter Authorizing Panel requesting a renewal of their charter. By a 3-2 vote, the Panel denied the application request. Pine Bluff Lighthouse Academy has submitted a request that the State Board of Education review the decision made by the Panel. The State Board may exercise a right of review and conduct a hearing on the Charter Authorizing Panel's determination at the State Board's next meeting.

Mr. Ballard read a letter from Representative Joyce Flowers to the State Board. He also passed out a handout to the State Board.

Ms. Zook moved, seconded by Ms. Dean to accept public comment. The motion passed unanimously. Public comment was heard.

Mr. Williamson moved, seconded by Ms. Newton, to review the Charter Authorizing Panel's determination on Pine Bluff Lighthouse Academy. There was a brief discussion period. A roll call vote was held. The motion passed unanimously.

State Board members discussed the information they would like to hear for the review. Ms. McFetridge would like to know what options will be available to any displaced students. Ms. Newton would like to know what Pine Bluff Lighthouse Academy has done since the Charter Authorizing Panel meeting and what their plans are moving forward. Ms. Chambers would like to know where the students attended before attending Pine Bluff Lighthouse Academy as well as the performance scores for those schools. She would also like the school to provide facts and plans that would help the State Board determine a timeline. Ms. Dean would like to see a plan for and data on family/parental engagement. Dr. Barth would like to see the A-F score broken into the different components to identify the challenges. He would also like to see an analysis of math scores, data on teacher attendance across time, and the number of short and long term substitutes being used. Ms. Zook would like to see the achievement and growth scores for students that they have had for at least three

years, student and teacher attendance absentee rate, and where they are in the implementation of R.I.S.E. Arkansas. She would also like to know if the K-8 curriculum is aligned with the standards that the state has. Dr. Moore asked if there was any way that a third party or the Department could analyze the school's data over time to provide the State Board with perspective of their achievement. Mr. Key said that the Department would look into that option.

The review will be held during the February State Board meeting.

c. **Consideration of Charter Authorizing Panel Decision on Open-Enrollment Charter School Renewal: School for Integrated Academies and Technologies (SIATech)**

Director of Public Charter Schools Mr. Reginald Ballard said on December 18, 2018, representatives of SIATech appeared before the Charter Authorizing Panel requesting a renewal of their charter. By a unanimous vote, the Panel approved the application request. No request for the State Board of Education to review the decision made by the Panel was submitted. The State Board may exercise a right of review and conduct a hearing on the Charter Authorizing Panel's determination at the State Board's next meeting.

Ms. Zook moved, seconded by Ms. Dean, to not review the decision. The motion passed unanimously.

d. **Consideration of Charter Authorizing Panel Decision on Open-Enrollment Charter School Amendment: KIPP Delta Public Schools**

Director of Public Charter Schools Mr. Reginald Ballard said on December 18, 2018, representatives of KIPP Delta Public Schools appeared before the Charter Authorizing Panel requesting an amendment to their charter. By a unanimous vote, the Panel approved the request. No request for the State Board of Education to review the decision made by the Panel was submitted. The State Board may exercise a right of review and conduct a hearing on the Charter Authorizing Panel's determination at the State Board's next meeting.

Ms. Chambers moved, seconded by Ms. Dean, to not review the decision. The motion passed unanimously.

e. **Consideration of Charter Authorizing Panel Decision on Charter School Amendments: Standards for Accreditation**

Director of Program Evaluation Dr. Alexandra Boyd said on July 1, 2018, new Standards for Accreditation became effective, necessitating a transition in waivers from the previous Standards for Accreditation. On December 18, 2018, ADE staff appeared before the Charter Authorizing Panel requesting approval of the transition of these waivers on behalf of several charter schools. By a unanimous vote, the Panel approved the requests. No request for the State Board of Education to review the decision made by the Panel was submitted. The State Board may exercise a



right of review and conduct a hearing on the Charter Authorizing Panel's determination at the State Board's next meeting.

Attorney Ms. Mary Claire Hyatt provided a brief update on the progress of the standards.

Ms. Dean moved, seconded by Ms. Chambers, to not review the decision. The motion passed unanimously.

f. **Consideration of Charter Authorizing Panel Decision on Charter School Amendments: Class Size and Teaching Load Rules**

Director of Program Evaluation Dr. Alexandra Boyd said on October 29, 2018, new ADE Rules Governing Class Size and Teaching Load became effective, necessitating charters schools holding a waiver of the Standards for Accreditation section 1-A.6 obtain a waiver of new rules to fully effectuate the waiver topic. On December 18, 2018 ADE staff appeared before the Panel to request an approval of these waivers on behalf of several charter schools. By a unanimous vote, the Panel approved the requests. No request for the State Board of Education to review the decision made by the Panel was submitted. The State Board may exercise a right of review and conduct a hearing on the Charter Authorizing Panel's determination at the State Board's next meeting.

Ms. Newton moved, seconded by Mr. Williamson, to not review the decision. The motion passed unanimously.

g. **Consideration of Charter Authorizing Panel Decision on District Conversion Charter School Renewal: Fountain Lake Middle School Cobra Digital Prep Academy**

Director of Public Charter Schools Mr. Reginald Ballard said on December 19, 2018, representatives of Fountain Lake Middle School Cobra Digital Prep Academy appeared before the Charter Authorizing Panel to request renewal of their charter. By unanimous vote the Charter Authorizing Panel approved the request. No request made by the Panel was made for the State Board to review the decision was made. The State Board may exercise a right of review and conduct a hearing on the Panel's determination.

Ms. Dean moved, seconded by Mr. Williamson, to not review the decision. The motion passed unanimously.

h. **Consideration of Charter Authorization Panel Decision on District Conversion Charter School Renewal: Warren Middle School**

Director of Public Charter Schools Mr. Reginald Ballard said on December 19, 2018, representatives of Warren Middle School appeared before the Charter Authorizing Panel to request renewal of their charter. By a vote of 4-1, the Charter Authorizing Panel approved the request. No request made by the Panel was made for the State

Board to review the decision was made. The State Board may exercise a right of review and conduct a hearing on the Panel's determination.

Ms. Newton noted that Warren Middle School and the Academies of West Memphis both had lower achievement than she would like to see in a conversion charter. Director of Program Evaluation Dr. Alexandra Boyd says that the low scoring schools are brought before the Charter Authorizing Panel and they present their case before the Panel.

Ms. Chambers moved, seconded by Ms. McFetridge, to not review the decision. The motion passed unanimously.

**i. Consideration of Charter Authorization Panel on District Conversion Charter School Renewal: Academies of West Memphis**

Director of Public Charter Schools Mr. Reginald Ballard said on December 19, 2018, representatives of Academies of West Memphis appeared before the Charter Authorizing Panel to request renewal of their charter. By a vote of 4-1, the Charter Authorizing Panel approved the request. No request made by the Panel was made for the State Board to review the decision was made. The State Board may exercise a right of review and conduct a hearing on the Panel's determination.

Ms. McFetridge moved, seconded by Ms. Dean, to not review the decision. The motion passed unanimously.

Ms. Newton asked if it could be possible that if a charter has a lower achievement score that they are advised to apply for a short period of time. Ms. Boyd said that they could do that.

**j. Consideration of Charter Authorization Panel on District Conversion Charter School Amendment: Cross County New Tech High School**

Public School Program Advisor Ms. Kelly McLaughlin said on December 19, 2018, representatives of Cross County New Tech High School appeared before the Charter Authorizing Panel to request an amendment of their charter. By unanimous vote the Charter Authorizing Panel approved the request. No request made by the Panel was made for the State Board to review the decision was made. The State Board may exercise a right of review and conduct a hearing on the Panel's determination.

Ms. Chambers moved, seconded by Ms. Dean, to not review the decision. The motion passed unanimously.

**Action Agenda B**

**B-1 Consideration for Final Approval: Arkansas Department of Education Special Education and Related Services Rule, Section 2.00 (Definitions) and Section 5.00 (Free Appropriate Public Education)**



Attorney Ms. Mary Claire Hyatt said the final approval is requested for Section 2.00 (Definitions) and Section 5.00 (Free Appropriate Public Education) of the Arkansas Department of Education Special Education and Related Services Rule.

Ms. Zook moved, seconded by Ms. Chambers, to provide final approval for Section 2.00 (Definitions) and Section 5.00 (Free Appropriate Public Education) of the Arkansas Department of Education Special Education and Related Services Rule. The motion passed unanimously.

## **B-2 Approval of Lead and Master Professional Educator Standards as a part of the Career Continuum**

Public Information Manager Ms. Meghan Ables provided a presentation on the Lead and Master Professional Educator Standards as part of the Career Continuum. She said that reasons for using this career continuum in Arkansas are to (1) extend the reach of effective teachers to all students; (2) elevate the teaching profession; (3) recruit and retain teachers; (4) encourage the collective leadership model; and (5) support teachers in leading from the classroom. She said that the standards are made up of seven domains which describe the dimensions of teach leadership and were listed in a handout which was handed out to the State Board.

Ms. House applauded the Department's efforts and expressed her appreciation as a teacher who does not want to leave the classroom to have a leadership role.

Dr. Moore asked if there will be development in the future with principals and superintendents. Ms. Ables said that they plan to support principals and superintendents in what these roles may look like, but ultimately every district has different needs that they may need the support of these teachers in and so a set standard may not work for every district. The Department would be available to provide guidance to the districts.

Ms. Newton moved, seconded by Ms. McFetridge, to approve Lead and Master Professional Educator Standards as a part of the Career Continuum. The motion passed unanimously.

## **B-3 District Request for Waivers Granted to Open-Enrollment Charters: Act 1240 Summary Information**

Public School Program Advisor Ms. Kelly McLaughlin reviewed the procedures for this agenda item.

### **a. District Request for Waivers Granted to Open-Enrollment Charters: Clarendon School District**

Public School Program Advisor Ms. Kelly McLaughlin passed out a packet to board for this item. She said that their 90 day will expire on March 18, 2019, and they are requesting a three year waiver (January 11, 2021). Ms. McLaughlin said that this is a teacher licensure waiver for the elementary school.

Clarendon School District Superintendent Mr. Lee Vent provided the presentation on the behalf of the school district. He said that there is a critical shortage of certified teachers in the district.

Ms. Newton asked if the seven teachers in question were pursuing licensure. Mr. Vent said that they are pursuing licensure. Ms. Newton also asked how many had taken the Praxis and not passed. Ms. Vent said that they have all taken the test at least once; however, they are all since working toward passing the Praxis.

Ms. Newton also asked to confirm that this request is just an extension of a waiver the district has already. Attorney Ms. Mary Claire Hyatt said that when the district had originally requested the waiver, there was some confusion about what had been granted and it turned out that only the high school actually had the waiver. This waiver will be for the elementary school, which has never actually held the waiver.

Ms. Zook asked which test that they use for their interim test. Mr. Vent responded that they use ACT Aspire. Ms. Zook also said that she noticed the special education numbers for elementary are at 24.8 percent and asked if that was an accurate percentage and if they were confident that the students were being assessed correct. Mr. Vent said the numbers were accurate and that he felt confident in the evaluation process for special education.

Dr. Moore asked if the elementary school is participating in R.I.S.E. Arkansas and if the district is supporting the elementary school in teaching reading. Mr. Vent said that they are involved in R.I.S.E. Arkansas and they also have academic coaches.

Ms. House offered to come and visit with the district's Kindergarten teachers.

APSRC Attorney Mr. Tripp Walter said that the district would be happy to add an annual report as part of the waiver.

Ms. Newton moved, seconded by Dr. Hill, to grant the waiver request to extend to June 30, 2021, effective immediately, with the addition of annual report. There was a brief discussion period. The motion passed unanimously

**b. District Request for Waivers Granted to Open-Enrollment Charters: Cutter Morning Star School District**

Public School Program Advisor Ms. Kelly McLaughlin said that representatives from Cutter Morning Star School District were present to request waivers for student guidance counselor and library media specialist ratios. She said that their 90 days expires on February 14, 2019. They are requesting a five year waiver, to end January 11, 2024. She passed a packet of information provided by the district to the State Board members.

Cutter Morning Star School District Superintendent Ms. Nancy Anderson provided the presentation on the behalf of the school district. Ms. Anderson said that they would like to have their counselor provide anti-bullying, suicide prevention, and other related classes. Ms. Anderson said that their media specialist is a reading specialist with intervention classes; however, because they are now at 301 students they are considered in violation of standards and require the waiver.



Ms. Zook asked if Ms. Anderson could ensure the State Board that the media specialist is qualified to provide dyslexia intervention. Ms. Anderson said the media specialist has attended the training by Dr. Sanjay Gupta regarding dyslexia.

Ms. McFetridge asked if the waiver was for the high school only and Ms. Anderson confirmed that was true.

Ms. Newton asked if the waiver would make the positions into half-time position and Ms. Anderson confirmed.

Dr. Barth express concern the requested ratios for both the school guidance counselor and media specialist are too large

Ms. Chambers moved, seconded by Ms. Dean, to approve the waiver for the school guidance counselor ratio. Dr. Barth voted no. The final vote was 8-1. The motion passed.

Ms. Dean moved, seconded by Ms. Chambers, to approve the waiver for the library media specialist ratio. Ms. McFetridge and Dr. Barth voted no. The final vote was 7-2. The motion passed.

**c. District Request for Waivers Granted to Open-Enrollment Charters: Lee County School District**

Public School Program Advisor Ms. Kelly McLaughlin said the Lee County School District is requesting waivers for library media specialist and classroom teacher licensure. Their 90 days expires February 14, 2019. The requested waiver is for three years, ending on January 11, 2022.

Lee County School District Superintendent Ms. Elizabeth Johnson provided the presentation of behalf of the district. Ms. Johnson said that they received no applications for their library media specialist job openings. They have two people interested in working in the library who either have a master's degree or higher; however, it would take them approximately three years to gain certification. She said that they also need the waiver for classroom teacher licensure for a similar reason and need teachers in different subjects.

Lee County School District Federal Programs Coordinator Ms. Mary Hayden discussed the professional development and supports available to the non-licensed teachers.

Dr. Moore asked if the teachers they hire under the waiver would seek licensure. Ms. Johnson said yes, all teachers that they hire seek licensure.

Ms. Zook noted that there was no charter school listed on the applications and confirmed with Ms. Johnson that the charter would be KIPP Delta. She also discussed her concern over the students' reading abilities. Ms. Johnson explained the ways that they support the students' acquisition of reading abilities. One such example was an after school program handled by Ms. Johnson and Ms. Hayden, who are reading specialists and attending the science of reading professional development through R.I.S.E. Arkansas.

Ms. Dean thanked Ms. Johnson for her years of service to the students in Lee County and for exhausting all avenues to ensure that the students taken care academically. Ms. Johnson said that they are doing the best they can with what resources that they have.

Ms. Chambers asked if there were any legislative actions in the works to assist with problems such as what Lee County is facing. Mr. Key explained the different options that have been tried over the past 12 years.

Several State Board members expressed their concern over the use of teacher licensure waivers. Ms. Johnson and Ms. Hayden reiterated that the educators that they need the waiver for are very close to becoming licensed; however, this waiver would allow them to stay on staff while they work toward that goal.

Assistant Commissioner for Public School Accountability Ms. Deborah Coffman provided an overview of the Standards for Accreditation system and how exceptions are determined.

Ms. Dean moved, seconded by Ms. Chambers, to approve the waiver regarding library media specialists for a three year period. The motion passed unanimously.

Ms. Dean moved, seconded by Dr. Hill, to approve the waiver on teacher licensure for a period of three years. Dr. Moore voted no. The final vote was 7-1. The motion passed.

**d. District Request for Waivers Granted to Open-Enrollment Charters: Standards for Accreditation**

Director for Program Evaluation Dr. Alexandra Boyd said on July 1, 2018, new Standards for Accreditation became effective, necessitating a transition in waivers from the previous Standards for Accreditation. ADE staff is requesting an approval of the transition of these waivers on behalf of several school districts.

Ms. Zook said that following the transition, the effectiveness of the waivers should be analyzed.

Dr. Barth said that the State Board needs to ask more challenging questions about the waivers being requested in regard to Act 1240 waivers.

Ms. Newton moved, seconded by Ms. Dean, to approve the transition of the waivers listed in the agenda. The motion passed unanimously.

***B-4 Pull Item - Fordyce request to transfer Educational Cooperatives***



### **New Business**

Ms. Zook said that there have been news stories regarding the use of out-of-school suspensions for truancy. She said that she knows that there is a law against using such actions; however, she was unclear how much authority the Department or State Board has in these cases. Mr. Key said that that law reads that the schools "shall not do" and doesn't specify any particular penalties. He also said that there were some coding errors for some of the students being marked as truant.

### **Adjournment**

Ms. Zook moved, seconded by Ms. Dean, to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 3:43 p.m.

*Minutes recorded by Tiffany Donovan*

  
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Johnny Key, Commissioner

  
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Dr. Jay Barth, SBE Chair